

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
David John Zanzig )  
For: TIRE WITH CONFIGURED RUBBER ) Confirmation No.: 9102  
SIDEWALL DESIGNED TO BE GROUND- ) Docket No.: DN2001193  
CONTACTING REINFORCED WITH ) Art Unit: 1714  
CARBON BLACK, STARCH AND SILICA ) Examiner: Edward J. Cain  
Serial No.: 09/975,167 )  
Filed: October 11, 2001 )

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**

Dear Sir:

Petitioner, The Goodyear Tire & Rubber Company, is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. Sections 154 to 156 and 173, as presently shortened by any terminal disclaimer, of its commonly owned Patent No. 6,761,198 B2, issued July 13, 2004, of which Petitioner is the owner of 100 percent interest therein as evidenced by an Assignment of Patent No. 6,761,198 recorded in the U.S. Patent Office on May 5, 2004, at Reel 014600, Frame 0357. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the said patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

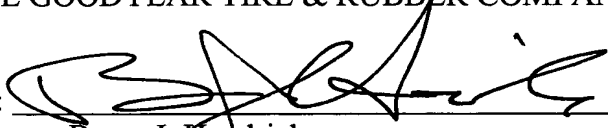
For submissions on behalf of The Goodyear Tire & Rubber Company, the undersigned are empowered to act on behalf of The Goodyear Tire & Rubber Company.

We hereby declare that we have reviewed appropriate evidentiary documents and certify that, to the best of my knowledge and belief, title to the instant application is in the name of The Goodyear Tire & Rubber Company.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

THE GOODYEAR TIRE & RUBBER COMPANY

Date: August 11, 2004

By:   
Name: Bruce J. Hendricks  
Title: Associate General Counsel, Intellectual Property Law